

Ex 5

SmartZone Communications Center Collaboration Suite

attorneyrose@comcast.net

Re: following up

Friday, December 11, 2009 11:17:42 AM

From: attorneyrose@comcast.net

To: jmoore@employmentpg.com

Bcc: Joni.Esperian@nh.gov; mwalker32@roadrunner.com

Julie - I have been informed by your investigator, Christine Howe, that we are not meeting today. She refused to take Michele's statement because the court won't authorize her to do so without your presence. This has been told to us around 1030 a.m., an hour after we were supposed to meet for Michele to have her statement put on the record. You are obviously not here and therefore the meeting is not happening. I have also been told by Ms. Howe that I was to call you to discuss this; she refused to discuss anything further or answer any of my questions. I have attempted to call your cell phone (which is the number Ms. Howe told me to call) a number of times since 1021 and have even left you a message requesting a call back. I have not yet heard from you and it is 1103.

I am shocked to see that you were not here today. In our five minute conversation last night on the phone at approximately 3:57 p.m. you told me unequivocally that my client's cooperation would be demonstrated only by showing up today. You also strongly indicated two times that if my client did not show up, the interview would go on anyway, and that the investigative team would be here, which they obviously were. You further indicated that the investigative team would be questioning other individuals at this location (The Common Man in Plymouth) on this date. I discussed our conversation with my client last night and we agreed to do as you commanded, even though my client still had strong feelings about postponing our meeting.

We will not be meeting with you or anyone next week. This has gone far enough. As I indicated last night, you are sending my client the wrong message. It is unfortunate at best that someone in her position who has been violated has to put up with this kind of treatment by her employer. We have confirmed for ourselves this morning that this has continued to be a hostile process for Michele.

We are still waiting to hear about when Michele can get back to work. We and the therapists have complied with all of your requests as of earlier this week. Please advise.

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